PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

То:		PCT	
see form PCT/ISA/220		WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1) Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)	
Applicant's or agent's file reference see form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/EP2005/050892	International filing date (continued of 1.03.2005	day/month/year)	Priority date (day/month/year) 02.03.2004
International Patent Classification (IPC) or both national classification and IPC B29C45/42, B29C45/72			
Applicant S.I.P.A. SOCIETA INDUSTRIALIZZAZIONE			
1. This opinion contains indications relating to the following items: Box No. Basis of the opinion			
Name and mailing address of the ICA.		Authorized Officer	

Name and mailing address of the ISA:

9)

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WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/EP2005/050892

iAP20 Rec'd PCT/PTO 01 SEP 2006

	Box N	o. I Basis of the opinion	
With regard to the language in which		egard to the language , this opinion has been established on the basis of the international application in guage in which it was filed, unless otherwise indicated under this item.	
	laı	nis opinion has been established on the basis of a translation from the original language into the following inguage—, which is the language of a translation furnished for the purposes of international search inder Rules 12.3 and 23.1(b)).	
2.	With re	egard to any nucleotide and/or amino acid sequence disclosed in the international application and sary to the claimed invention, this opinion has been established on the basis of:	
	a. type of material:		
		a sequence listing	
		table(s) related to the sequence listing	
	b. format of material:		
		in written format	
		in computer readable form	
	c. time	e of filing/furnishing:	
		contained in the international application as filed.	
		filed together with the international application in computer readable form.	
		furnished subsequently to this Authority for the purposes of search.	
3.	h: Co	addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto as been filed or furnished, the required statements that the information in the subsequent or additional opies is identical to that in the application as filed or does not go beyond the application as filed, as oppropriate, were furnished.	
4	. Additie	onal comments:	

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims

No: Claims

Inventive step (IS)

Yes: Claims

Claims

1-11

1-11

Yes: Claims

No:

1-11

No: Claims

2. Citations and explanations

Industrial applicability (IA)

see separate sheet

Box No. VII Certain defects in the international application

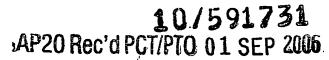
The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet



WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

International application No.

PCT/EP2005/050892

Re Item V.

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1 The following documents are referred to in this communication:

D1: WO-A-03/035360

2 The following statements are made taking into account item VIII.

2.1 Independent claim 1

Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parenthesis applying to this document): a device for conditioning of objects in plastic material, having a length (abstract), comprising: a rotating turret (fig. 4); a group of conditioning cavities, provided with respective opening for the insertion of said objects, defining the first and second cavities; a first side of the turret on which the respective insertion openings of the first cavities are located and a second side of the turret facing the first side on which are located the respective insertion openings of the second cavities (pages 13 and 14, fig. 4 and 12).

From this, the subject-matter of independent claim 1 differs in that the first conditioning cavities are located in such a way as to be side by side with the second cavities for at least part of their own length.

The subject-matter of claim 1 is therefore novel (Article 33(2) PCT)

The objective problem underlying claim 1: to provide an alternative device with a simpler construction, which retains a modularity feature which enables it to be employed in already existing moulding plants, cf. description, page 2, lines 17-19.

The solution to this problem proposed in claim 1 of the present application is neither known nor is it suggested from the cited prior art documents.

Consequently the subject-matter of claim 1 meets the requirements of Article 33(3) PCT.

2.2 Independent claim 10

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The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent claim **10**, which therefore is also considered novel and inventive.

- 3. Claims 2 to 9 and 11 are respectively dependent on claims 1 and 10 and fulfills as a result the requirements of Articles 33(2) and (3) PCT.
- 4. The subject-matter of claims 1 to 11 is considered as susceptible of industrial application (Article 33(4) PCT).

Re Item VII.

- 1. Independent claim 10 is not in the two-part form in accordance with Rule 6.3(b) PCT.
- 2. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in document D1 is not mentioned in the description, nor is this document identified therein.
- 3. Figure 10, present on drawing page 7/7 is not part of the listing of page 3 in the description.
- 4. According to the requirements of Rule 11.13(I) reference signs not appearing in the description shall not appear in the drawings, and vice versa. This requirement is not met in view of the reference sign 24 which appears in the description on page 5 but which does not appear in the drawing (figure 4).
- 5. According to the requirements of Rule 11.13(m) PCT the same feature shall be denoted by the same reference sign throughout the application. This requirement is not met in view of the use of the reference sign 5 (higher half mould 5, figure 5) which

appears in the description on page 5 as "higher half mould S".

Re Item VIII.

In respect of Article 6 PCT, the following is observed.

- 1. The term "conditioning" used in claims 1 to 5, 7, 8, 10 and 11 is vague and unclear and leaves the reader in doubt as to the meaning of the technical feature to which it refers, thereby rendering the definition of the subject-matter of said claims unclear.
- 2. The embodiments of the invention described on page 9, lines 27-29, and on page 10, lines 8 and 9 do not fall within the scope of the claims. This inconsistency between the claims and the description leads to doubt concerning the matter for which protection is sought, thereby rendering the claims unclear, Article 6 PCT. Removal of the inconsistency by deleting the "excess" subject-matter from the description, cf. the PCT Guidelines, 5.30, appears to be possible.